

Entered - 4-2-01 - sb  
CL 01L0208 - GWENDOLYN BURNS

**CLAIM OF: ROBERT CHAMBERS**  
through his attorney  
**RUSSELL T. DEUTSCHMAN**  
**KENNETH S. NUGENT, P.C.**  
1355 Peachtree Street  
The Peachtree, Suite 1000  
Atlanta, Georgia 30309

**01- R-1754**

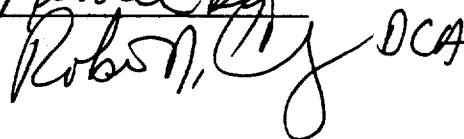
For bodily injuries alleged to have been sustained as a result of an automobile accident on February 11, 2001 at Northside Drive, NW and Martin Luther King, Jr. Drive, NW.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **ROBERT CHAMBERS through his attorney RUSSELL T. DEUTSCHMAN, KENNETH S. NUGENT, P.C.**, the sum of \$2,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained as a result of a automobile accident on February 11, 2001 at Northside Drive, NW and Martin Luther King, Jr. Drive, NW, as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

**APPROVED: SUSAN PEASE LANGFORD**  
**CITY ATTORNEY**

BY:   
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY**

 OCA

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0208

Date: October 16, 2001

Claimant /Victim ROBERT CHAMBERS  
BY: (Atty) (Ins. Co.) Russell T. Deutschman, Esq., KENNETH S. NUGENT, P.C.  
Address: 1355 Peachtree Street, The Peachtree, Suite 1000, Atlanta, Georgia 30309  
Subrogation: Claim for Property damage \$ Bodily Injury \$ 5,048.75  
Date of Notice: 3/19/01 Method: Written, Proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 2/11/01 Place: Northside Drive, NW & MLK, Jr. Drive, NW  
Department POLICE Division         
Employee involved Chris Valle Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: Claimant sustained bodily injuries when his vehicle was struck by a police vehicle that "failed to obey a traffic-control device".

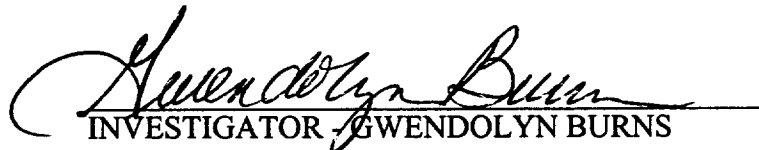
### INVESTIGATION:

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police X Dept Report        Other         
Traffic citations issued: City Driver        Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

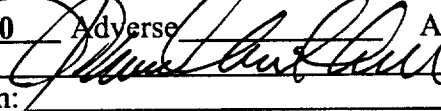
### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial         
Improper Notice        More than Six Months        Other        Damages reasonable         
City not involved        Offer rejected        Compromise settlement X  
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent X Joint        Claim Abandoned       

Respectfully submitted,

  
INVESTIGATOR GWENDOLYN BURNS

### RECOMMENDATION:

Pay \$ 2,000.00 Adverse        Account charged: 1A01 X 2J01        2H01         
Claims Manager:  Concur/date 10-17-01  
Committee Action:        Council Action

**KENNETH S. NUGENT, P.C.**  
**ATTORNEYS AT LAW**

1355 PEACHTREE STREET  
THE PEACHTREE, SUITE 1000  
ATLANTA, GEORGIA 30309  
(404) 875-0900  
FAX (404) 872-7562

KENNETH S. NUGENT  
JOHN T. RUFF  
WILLIAM D. HOLMAN \*  
JOHN C. FORBES, JR.  
RUSSELL T. DEUTSCHMAN  
ADAM W. DEEVER  
TERI D. PODUVAL  
BARBARA BARNETT CLARIDGE ♦  
M. BRIAN CLEMENTS  
MICHAEL G. ORR  
AHKIBAH KHAN  
GREGORY S. SHURMAN  
MICHAEL C. CHEROF  
MARK G. PITTS  
DIERDRA D. JAMES  
SYBIL BATES MCCORMACK

*BURNS*

*03/27/01*

OFFICES  
THROUGHOUT  
GEORGIA

\*ALSO ADMITTED IN TENNESSEE  
♦ ALSO ADMITTED IN ALABAMA

WWW.ATTORNEYKENNUGENT.COM

March 14, 2001

ENTERED - 4-2-01 - SB  
01L0208 - GWEN BURNS

**MAR 19 2001**

City Council  
City Hall  
55 Trinity Avenue SW  
Atlanta, GA 30335

RE: Client : Robert Chambers  
Date/Accident : 02/11/01  
Place of Accident : Northside Dr. NW and MLK Dr. NW  
Time of Accident : 19:23  
Our File No. : 223829

Dear City Council Members:

Our firm represents Robert Chambers for personal injuries sustained in the above referenced accident.

A copy of the accident report is enclosed for your reference. As you will note this accident occurred due to City of Atlanta Police officer, Chris Valle, failing to stop at the red traffic signal, striking the vehicle Mr. Chamber's was driving.

This notice is forwarded pursuant to the requirements and provisions of O.C.G.A. § 36-33-5, the Ante Litem Notice.

Mr. Chamber's sustained substantial injuries from this incident. He is currently under the care of a physician.

Additional information will be forwarded upon receipt.

Very truly yours,

KENNETH S. NUGENT, P.C.

*Russell T. Deutschman, Esq.*  
For the Firm

RTD:jdw  
enclosures

LIMITED LIABILITY RELEASE RESERVING THE RIGHTS OF THE  
UNINSURED MOTORIST INSURANCE COMPANY  
PURSUANT TO O.C.G.A. § 33-24-41.1

CLAIM NUMBER 01L0208

\$ 2,000.00

KNOW ALL MEN BY THESE PRESENTS THAT IN CONSIDERATION of the sum of Two Thousand Dollars, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby and for the heirs, executors, administrators, successors and assigns of the Undersigned acquit, remise, release, and forever discharge the City of Atlanta ("Self Insured Municipal Entity"), its officers and employees, including but not limited to Chris Valle "Limited Releasee", except to the extent other insurance coverage is available which covers the claim or claims of the Undersigned against the limited Releasee, from any and all claims, demands, rights, and causes of action of whatsoever kind and nature, specifically including but not limited to, all known and unknown bodily and personal injuries of the Undersigned. All damages to the Undersigned's property, all hospital bills, doctor bills, drug bills, and other medical expenses, that belong to the Undersigned or which may hereafter accrue to the Undersigned on account of or resulting from the vehicular accident which occurred on or about February 11, 2001, on Northside Drive, NW & Martin Luther King, Jr. Drive, NW inside Atlanta, Georgia.

IT IS UNDERSTOOD AND AGREED that this Limited Release is entered into pursuant to the provisions set forth in O.C.G.A. § 33-24-41.1, and it is intended that the force and effect of this Limited Release shall be as intended by the aforesaid Code section. This release shall operate as a full and final release of the City (i.e., self-insured), its officers, agents, servants and employees from all injuries or damages to the Undersigned arising out of the above described accident, casualty or event and a release of the Limited Releasee except that this Limited Release shall not bar any claims the Undersigned has against the Limited Releasee to the extent other insurance coverage is available which covers the claim or claims of the Undersigned against the Limited Releasee. This Limited Release shall not operate as a release of any other persons or entities not specifically named herein and shall not operate as a release of the Undersigned's claim(s) against any other tortfeasor or insurance carrier not named in this Limited Release.

IT IS FURTHER EXPRESSLY UNDERSTOOD AND AGREED that this Limited Release is a settlement of all claims for which the City of Atlanta, its officers, agents, servants and employees released hereby deny all liability and that by executing this release and payment, the City of Atlanta, its officers, agents, servants and employees released hereby intend to settle a claim in an effort to compromise a disputed claim and to avoid litigation. This Limited Release in no way prejudices the rights of the released parties to deny liability in any action based upon the said accident casualty or event.

The Undersigned further declares and represents that no promise, inducement, or agreement not herein expressed has been made to the Undersigned and that this Release contains the entire agreement between the parties. All the foregoing representations are made in order for the City of Atlanta, its officers, agents, servants and employees released hereby to rely upon them in effecting this Limited Release and Compromise.

The Undersigned has read the foregoing and fully understands it.

WITNESS my hand and seal this 11th day of Oct, 20 01.

Witnessed and Approved by:

Robert Chambers (LS)  
Robert Chambers

Russell T. Deutschman (LS)  
Russell T. Deutschman, Attorney for the Claimant

